

4/26/22

Judiciary Committee Chairperson Filler; Regarding Today's Hearing on 'Joint Resolution Q', AND HB 5749

Dear Rep. Filler - and other Committee Members,

I wanted a chance to express my views on the fore mentioned above at today's hearing via an internet link - I was not able to get that arranged; though I did try.

I was later told that my comments here on these matters will be entered into the House Committee records on today's hearing - and I do appreciate that.

First, regarding Joint Resolution Q - I do not feel particularly supportive of the proposal - and frankly, have trouble seeing why it was even created. I do not find any reasons to believe it was designed with the 'best interests' of Michigan's citizens in mind; but appears to be intended merely to assist current judges who are approaching the age of 70 - and will be required to retire at that time as the State Constitution now requires; but may not wish to do so.

I feel that it would be best in general to allow for judges of the age of 70 and above to have their places at the bench filled with newer, younger judges; while their older peers be allowed to begin enjoying their retirement years - which I'm certain they will be well provided for.

I do not wish to rehash any past debates over issues such as 'declining physical health', or 'mental clarity', etc., as I'm certain has been done infinitum. I know that in actuality, few people do not wish to retire by age 70; most hope to do so even before that. This fact has simply 'made sense' to a majority of people for decades now; and continues to today.

In regards to HB 5749 - I was very puzzled and a bit dismayed at the lack of any simplicity in calculating specifically how much District Court Judges - or their counterparts in other courts are paid - as was initially laid out in 'Public Act 31 of 2016' - which I did look into.

I read over and over about "subtracting \$45,724 from 85% (- or 92%) of a Supreme Court Justice's salary as of Dec. 31st, 2015", being the "State Salary", and then, "additional salary", initially from each District Court's County, later to be paid by a 'District Funding Unit' - which would be reimbursed by the State (apparently shifting the financial burden away from each judge's perspective County) - and brief mention of still other "additional salaries" in some instances, and "reimbursement for expenses incurred" by judges in going to and from their courts, etc.

I also noted the phrase "shall be paid" being replaced in every instance by the very concrete phrase "must be" paid - and the stipulation that while a judge's salary can be

increased, "it must never be decreased" during his or her term - "unless every other government official" of any category all receive pay cuts across the board, etc.

I even felt I finally came to understand that "civil service nonexclusively represented employees classified as executives and administrators" simply meant the Court Administrator and other clerks and staffers working under him or her.

I see where it is also proposed that judges may opt to have court sessions "during evenings and on Saturdays" - which will obviously extend the lobby cash register's 'working hours' also.

Frankly, when I feel that I DO understand each word, and each phrase included in a rather lengthy and detailed 'explanation' - but still do NOT understand the 'explanation' itself - THERE'S SOMETHING WRONG! - I can only conclude that the authors of this bill do not particularly want the 'average citizen' to understand exactly how a District Court Judge's salary is calculated - or Specifically How Much it is!

A couple of years ago I attended a Senate Judicial Committee's hearing on SB 870; which was to establish guidelines to be used for video and audio recordings of court proceedings in Michigan - with little mention of making these recordings available to interested citizens upon request - as they should be - and at very nominal cost.

The criticisms I and a few other 'common citizens' in attendance vocalized about the bill, introduced by Sen. Rundstad, resulted in the bill being 'shelved' for the remainder of the year; and it was reassigned as SB 430 - or some such number, for the duration of the following year, 2021 - when, to my knowledge; it was never resumed 'in Committee' again. I do not know if the bill on this very important matter of providing transparency about 'court' and judge's activities, statements, behaviors, decisions, etc. to the 'common citizens' was even reassigned a 'new number' for this current new year of 2022 - or if it even merited enough attention for that - or to be 'shelved' again.

I was told by a member of that Senate Committee later that some judges have expressed opposition to promoting any 'requirements' regarding court recordings that would provide this "transparency" (- a phrase used by current Chief Justice Bridget McCormick during her election campaigning a couple years ago) into "our" courts that 'the People' are supposed to have; saying that "we don't want to look bad"!

My response was "Well, if these judges are following the 'court rules', and following AND obeying the law, and conducting their 'proceedings' honestly, professionally, and ethically - they why would they have to worry about "looking bad"? - The Committee member said, "I said the same thing" in response.

Therefore, I cannot support any pay raises for District Court Judges - or ANY judges in Michigan for the time being. **I would like to propose instead, that ALL judges in Michigan receive a 20% pay cut (-which will still leave them being paid considerably

more than most 'working people' that I know), until they have actually implemented a policy of making genuine, unedited, un-'tampered with' video and audio recordings of ALL their proceedings available on DVD's for a very nominal fee **to absolutely ANY citizen that wants it - for whatever reason he or she chooses - regardless of whether said citizen has any 'personal relevance' to said court proceeding or not.**

I propose that when a judge has had this policy as I've described successfully and constantly implemented on a daily basis for at least 90 days - and agrees to its continuance - he or she can have their 20% pay reduction reversed - and future pay increases can be discussed another day!

When people of such power and authority over other citizen's personal lives, futures, and general well being cannot agree to provide the citizens they are supposed to "serve" in such an important, often 'life changing' capacity cannot agree to the kind of transparency in performing their duties that the people deserve - out of fear that they may "look bad" - **there's something wrong - obviously!**

The necessary recording equipment was paid for and installed in 'the people's courts' years ago - it should be used for the benefit of 'the people' - and not kept from them to promote secrecy on behalf of court judges.

Thank you for your time in examining my opinions here; and again, I do appreciate them being added to the Committee's records on today's hearing.

Sincerely,

- Greg Adkins, of 20407 Dalby, Redford Township, 48240 - for almost 25 years now.